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**PATENT**

S/N 10/656,070

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Lyons et al.	Examiner:	Josiah C. Cocks
Serial No.:	10/656,070	Group Art Unit:	3749
Filed:	September 5, 2003	Docket:	12929.1062USC1
Customer No.:	23552	Confirmation No.:	8343
Title:	Monolithic Panel for a Gas Burner		

**CERTIFICATE UNDER 37 CFR 1.6(d):**

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on February 21, 2005.

By:  
Name:*Robert A. Kalinsky*  
*Robert A. Kalinsky***TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Petitioner, HON Technology Inc., a corporation organized and existing under the laws of the State of Iowa and having its primary place of business at 414 East Third Street, P.O. Box 1109, Muscatine, IA 52761-7109, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/656,070, filed on September 5, 2003 and entitled "Monolithic Panel for a Gas Burner" ("present application"), by virtue of the assignment recorded at Reel 011769, Frame 0174.

Petitioner, HON Technology Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as shortened by any terminal disclaimer filed prior to the grant of any patent granted from pending second U.S. Patent Application Serial No. 09/781,149, filed on February 8, 2001, and entitled "Monolithic Panel for a Gas Burner" ("second application") and hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on the second application,

this agreement to run with any patent granted on the present application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the present application that would extend to the full statutory term as shortened by any terminal disclaimer filed prior to the patent grant on the second application, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney of record.

Please charge our Deposit Account No. 13-2725 the amount of \$130.00 to cover the fee associated with this Disclaimer.

Respectfully submitted,  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.371.5271

Date: February 21, 2005

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